

REMARKS

Claims 44, 46-50, 52-57, 59-64, 66-72, 74-79, and 81-92 are pending in this application. Claim 59 is amended herein. Support for the amendment to claim 59 may be found in the claims as originally filed. Reconsideration is requested based on the foregoing amendment and the following remarks.

Response to Arguments:

The Applicants appreciate the consideration given to their arguments, and the withdrawal of the previous rejections under 35 U.S.C. § 112. Further favorable reconsideration is requested.

Interview Summary

The Applicants submit the following summary of the telephone interviews that took place October 10 and 17, 2006 between the undersigned representative of the Applicants and the Examiner.

Telephone Conference:

The Applicants thank the Examiner for the many courtesies extended to the undersigned representative of the Applicants during the telephone interviews that took place October 10 and 17, 2006.

Among the issues discussed during that interview were the patentability of the claims over the cited references. In particular, the deficiencies of US Patent No. 5,740,549 to Reilly et al., (hereinafter "Reilly") with respect to the claimed invention were discussed, among which are included the lack of "receiving a specification from the client computer in response to the summary," "uploading the homepage created to a predetermined website," and "a preparing unit that prepares an electronic mail based on the electronic articles extracted by the extracting unit."

The Examiner agreed to review the Reilly reference again, and decide whether to withdraw the rejection of the claims as anticipated by Reilly.

Claim Rejections - 35 U.S.C. § 112:

Claim 59 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claim 59 has been amended to make it more definite. Withdrawal of the rejection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 102:

Claims 44, 46-50, 52-57, 59-64, 66-72, 74-79, and 81-86 were rejected under 35 U.S.C. § 102(b) as anticipated by US Patent No. 5,740,549 to Reilly et al., (hereinafter "Reilly"). The rejection is traversed.

The third clauses of claims 44, 50, 57, 64, 72, and 79 recite substantially:

Receiving a specification from the client computer in response to the summary.

Reilly neither teaches, discloses, nor suggests "receiving a specification from the client computer in response to the summary," as recited substantially in claims 44, 50, 57, 64, 72, and 79. In Reilly, rather, the subscriber sets up a profile, including categories of topics of interest, and the system, not the subscriber, selects the articles to be displayed on the subscriber's computer accordingly. In particular, as described at column 2, lines 54-59:

Another goal of the present invention is provide each subscriber with the ability to set up and change a user profile indicating categories and subcategories of topics which are of interest and not of interest to the subscriber, and to select the news stories displayed on the subscriber's computer accordingly.

Since, in Reilly, the system, not the subscriber, selects the articles to be displayed on the subscriber's computer, Reilly is not "receiving a specification from the client computer in response to the summary," as recited substantially in claims 44, 50, 57, 64, 72, and 79.

Furthermore, even if the user profile set up by the subscriber in Reilly were considered to be equivalent to the recited specification, it still would not be received "from the client computer in response to the summary," as recited substantially in claims 44, 50, 57, 64, 72, and 79. Rather, in Reilly, the summary, i.e. the news stories displayed on the subscriber's computer, would be selected to suit the topics listed in the subscriber's *profile*, not the other way around.

Similarly, even if the primary components, i.e. the headlines of the news stories in Reilly were considered to be equivalent to the recited summary, and displaying the secondary component of a news story in Reilly upon a subscriber's request was considered to be equivalent to the recited specification, the subscriber's request would still not be received "from the client computer in response to the summary," as recited substantially in claims 44, 50, 57, 64, 72, and 79. Rather, in Reilly, each news item displayed in the center section 248 of the data viewer's display *includes* both the primary and secondary portions of the news item. Thus, *both* the primary *and* the secondary components of each news story are already *on* the client computer, and there is no need to send back to the information server for the secondary

component in order to display that as well. In particular, as described at column 13, lines 49-60:

Each news item displayed in the center section 248 of the data viewer's display includes both the primary and secondary portions of the news item, thereby providing the subscriber in most instances with access to a fuller version of the news item than was shown by the screen saver. In the case of very short news items, the entire news item may be contained in its primary component. Furthermore, in client computers with very limited hard disk space available for storing news items, as indicated by the user profile 194 for the client computer, the secondary component of news items may not be stored in the local information database in order to conserve disk space.

The third clauses of claims 44, 50, 57, 64, 72, and 79 recite substantially further:

The specification specifying which electronic article is selected by a user of the client computer.

Reilly neither teaches, discloses, nor suggests a "specification specifying which electronic article is selected by a user of the client computer," as recited substantially in claims 44, 50, 57, 64, 72, and 79. In Reilly, rather, the subscriber sets up a profile, including categories of topics of interest, and the *system*, not the subscriber, selects the articles to be displayed on the subscriber's computer accordingly, as discussed above.

Furthermore, in Reilly, the subscriber sets up a profile, indicating information categories for which a subscriber associated with the workstation does and does not want to view information items, and the system, not the subscriber, selects the articles to be displayed on the subscriber's computer accordingly. In particular, as described at column 3, lines 15-25:

At least a some of the workstations include a profiler for storing subscriber profile data. The subscriber profile data represents subscriber information viewing preferences, indicating information categories for which a subscriber associated with the workstation does and does not want to view information items. The information display controller includes a filter for excluding from the information items displayed on the display device those information items inconsistent with the subscriber profile data.

Since, in Reilly, the system, not the subscriber, selects the articles to be displayed on the subscriber's computer, Reilly has no "specification specifying which electronic article is selected by a user of the client computer," as recited substantially in claims 44, 50, 57, 64, 72, and 79.

Finally, in Reilly, most news stories are divided into a primary component and a secondary component. The primary component is what is displayed on a subscriber's workstation when the subscriber's workstation is turned on but has been idle, i.e. the primary component is selected for the subscriber, based on the subscriber's profile. If the subscriber

likes the primary component of the news story, the subscriber can request to see secondary component of the news story. Still, in Reilly, the system, not the subscriber, selects the news story to be displayed in the first place. In particular, as described at column 4, lines 50-60:

The information editor 130 is also used to divide most news stories into two components or portions: a primary component or portion and a secondary component or portion. The primary component is what is displayed on a subscriber's workstation when the subscriber's workstation is turned on but has been idle, while the secondary component is what is displayed, along with the primary components only upon a subscriber's request. For instance, as will be described below, there are number of ways in which a subscriber can request the display of the "full text" of a news item (which may include photographs and the like).

Since, in Reilly, the system, not the subscriber, selects the articles to be displayed on the subscriber's computer, Reilly has no "specification specifying which electronic article is selected by a user of the client computer," as recited substantially in claims 44, 50, 57, 64, 72, and 79.

The fourth clauses of claims 44, 50, 57, 64, 72, and 79 recite substantially:

Extracting a plurality of electronic articles from the article database based on the specification.

Reilly neither teaches, discloses, nor suggests "extracting a plurality of electronic articles from the article database based on the specification," as recited substantially in claims 44, 50, 57, 64, 72, and 79. Rather, in Reilly, even if the primary components, i.e. the headlines of the news stories were considered to be equivalent to the recited summary, and displaying the secondary component of a news story in Reilly upon a subscriber's request were considered to be equivalent to the recited specification, a subscriber may still only request that the secondary component of a news article be *displayed*, as discussed above, not extract "a plurality of electronic articles from the article database based on the specification," as recited substantially in claims 44, 50, 57, 64, 72, and 79.

Finally, the seventh clauses of claims 44, 50, 57, 64, 72, and 79 recite substantially:

Uploading the homepage created to a predetermined website.

Reilly neither teaches, discloses, nor suggests "uploading the homepage created to a predetermined website," as recited substantially in claims 44, 50, 57, 64, 72, and 79. Reilly, in fact, mentions no home page at all. Claims 44, 50, 57, 64, 72, and 79 are thus submitted to be allowable. Withdrawal of the rejection of claims 44, 50, 57, 64, 72, and 79 is earnestly solicited.

Claims 46-49, 87 and 88; 52-55; 59-63, 89, and 90; 66-70; 74-78, 91, and 92; and 81-85

depend from claims 44, 50, 57, 64, 72, and 79, respectively, and add further distinguishing elements. Claims 46-49, 87 and 88; 52-55; 59-63, 89, and 90; 66-70; 74-78, 91, and 92; and 81-85 are thus also submitted to be allowable. Withdrawal of the rejection of claims 46-49, 87 and 88; 52-55; 59-63, 89, and 90; 66-70; 74-78, 91, and 92; and 81-85 is earnestly solicited.

Claims 56, 71, and 86:

The third clauses of claims 56, 71, and 86 recite substantially:

A receiving unit that receives a specification from the client computer in response to the summary.

Reilly neither teaches, discloses, nor suggests, "a receiving unit that receives a specification from the client computer in response to the summary," as discussed above with respect to the rejection of claims 44, 50, 57, 64, 72, and 79.

The third clauses of claims 56, 71, and 86 recite substantially further:

The specification specifying which electronic article is selected by a user of the client computer.

Reilly neither teaches, discloses, nor suggests, "the specification specifying which electronic article is selected by a user of the client computer," as discussed above with respect to the rejection of claims 44, 50, 57, 64, 72, and 79.

The fourth clauses of claims 56, 71, and 86 recite substantially:

An extracting unit that extracts a plurality of electronic articles from the article database based on the specification.

Reilly neither teaches, discloses, nor suggests, "an extracting unit that extracts a plurality of electronic articles from the article database based on the specification," as discussed above with respect to the rejection of claims 44, 50, 57, 64, 72, and 79.

Finally, the fifth clauses of claims 56, 71, and 86 recite substantially:

A preparing unit that prepares an electronic mail based on the electronic articles extracted by the extracting unit.

Reilly neither teaches, discloses, nor suggests "a preparing unit that prepares an electronic mail based on the electronic articles extracted by the extracting unit," as recited substantially in claims 56, 71, and 86. Reilly, rather, *broadcasts* information updates to all the subscriber computers. In particular, as described at column 16, lines 55-60:

In another alternate embodiment, the information server broadcasts information

updates to all the subscriber computers, for example by sending an e-mail message or a sequence of e-mail messages containing all news item, advertising, display script and software updates to all the computers of registered subscribers.

Since, in Reilly, information updates are broadcast to all the subscriber computers, Reilly is not preparing "an electronic mail based on the electronic articles extracted by the extracting unit," as recited substantially in claims 56, 71, and 86. Claims 56, 71, and 86 are thus submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claims 44, 50, 57, 64, 72, and 79. Withdrawal of the rejection of claims 56, 71, and 86 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 44, 46-50, 52-57, 59-64, 66-72, 74-79, and 81-92 are allowable over the cited references. Allowance of all claims 44, 46-50, 52-57, 59-64, 66-72, 74-79, and 81-92 and of this entire application is therefore respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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